

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-first Legislature First Regular Session - 2011

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 240

BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO THE INDUSTRIAL COMMISSION; AMENDING SECTION 72-523, IDAHO CODE,  
TO REVISE PROVISIONS RELATING TO A CERTAIN PREMIUM TAX AND TO REVISE  
PROVISIONS RELATING TO THE DEDUCTION OF A CERTAIN PREMIUM TAX.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 72-523, Idaho Code, be, and the same is hereby  
amended to read as follows:

72-523. SOURCE OF FUND -- PREMIUM TAX. The state insurance fund, every authorized self-insurer and every surety authorized under the Idaho insurance code or by the director of the department of insurance to transact worker's compensation insurance in Idaho, in addition to all other payments required by statute, shall semiannually, within thirty (30) days after February 1 and July 1 of each year, pay into the state treasury to be deposited in the industrial administration fund a premium tax as follows:

(1) Commencing July 1, 1993, every surety, other than self-insurers authorized to transact worker's compensation insurance, a sum equal to two and one-half percent (2.5%) of the net premiums written by each respectively on worker's compensation insurance in this state during the preceding six (6) months' period, but in no case less than seventy-five dollars (\$75.00); and

(2) Each self-insurer, a sum equal to two and one-half percent (2.5%) of the amount of premium such employer who is a self-insurer would be required to pay as premium to the state insurance fund, but in no case less than seventy-five dollars (\$75.00);

(3) Notwithstanding the provisions of subsections (1) and (2) of this section, for the period January 1, 2012, through December 31, 2013:

(a) Every surety, other than self-insurers authorized to transact worker's compensation insurance, a sum equal to two percent (2%) of the net premiums written by each respectively on worker's compensation insurance in this state during the preceding six (6) months' period, but in no case less than seventy-five dollars (\$75.00); and

(b) Each self-insurer, a sum equal to two percent (2%) of the amount of premium such employer who is a self-insurer would be required to pay as premium to the state insurance fund, but in no case less than seventy-five dollars (\$75.00).

(4) Any insurer making any payment into the industrial administration fund under the provisions of subsection (1) of this section or, during the period January 1, 2012, through December 31, 2013, any insurer making any payment into the industrial administration fund under the provisions of subsection (3) of this section, shall be entitled to deduct ~~one and three-tenths~~ fifty percent (1.350%) of the net premiums written as computed above premium tax paid pursuant to this section from any sum that it is required to pay into the department of insurance as a tax on worker's compensation premiums.

1           (45) In arriving at net premiums written, dividends paid, declared or  
2 payable shall not be deducted.

3           (56) For the purposes of this section and section 72-524, Idaho Code,  
4 net premiums written shall mean the amount of gross direct premiums written,  
5 less returned premiums and premiums on policies not taken.